

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:14CV3-RLV**

ROBERT JOHNSON and
JEANETTE JOHNSON,

Plaintiffs,

v.

JAMES WILLIAMS, SGT. CHRIS ELDRETH,
OFFICER EVERETTE, DANA SHATLEY and
REGINA DRAKE,

Defendants.

ORDER

THIS MATTER is before the Court on a Motion to Dismiss and for Sanctions pursuant to Rules 11 and 41(b) of the Federal Rules of Civil Procedure, and a Motion to Dismiss for failure to state a claim upon which relief can be granted under Federal Rule of Civil Procedure 12(b)(6). (Docs. 17, 18). As Plaintiffs have both agreed to the dismissal of this lawsuit in their respective submissions, Defendants' Motion to Dismiss is properly granted. (Doc. 17-2, at 1; Doc. 19, at 6). In addition, the Court finds no evidence of fraudulent conduct on the part of Plaintiff Robert Johnson, and thus sanctions are inappropriate.

IT IS, THEREFORE, ORDERED that Defendants' Motion to Dismiss (Doc. 18) is hereby **GRANTED** and Defendants' Motion for Sanctions (Doc. 17) is hereby **DENIED**.

Signed: August 4, 2015



Richard L. Voorhees
United States District Judge

